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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MILEPOST INNS, INC., d/b/a MILEPOST
INDUSTRIES,

Plaintiff,

vs.

NORFOLK SOUTHERN CORPORATION,
and NORFOLK SOUTHERN RAILWAY
COMPANY;

Defendants.

Case No. C-03-2510 (CRB) (ADR)

**CASE MANAGEMENT
STATEMENT**

Date: July 8, 2005

Time: 8:30 a.m.

Courtroom: 8

The nature of this matter is commercial litigation. On July 18, 2003, the court ruled that the above matter be assigned to binding arbitration. The parties have selected JAMS to be the provider of the arbitration services and F. Carlton King, Jr., was selected as the arbitrator.

On June 20, 2005 and continuing through June 22, 2005, the parties attended arbitration, in Atlanta, Georgia. Shortly after Arbitration, the Arbitrator F. Carlton King, Jr., served on all parties Scheduling Order Number 10. In that order, Defendant Norfolk Southern Corporation is to file its post-hearing brief on July 29, 2005 and Plaintiff Milepost Inns, Inc., is to file its reply

1 on August 5, 2005. From that date of August 5, 2005, the Arbitrator shall have 30 days to
2 submit his ruling.

3 It is hereby respectfully requested that the Status Conference hearing, set for July 8,
4 2005, at 8:30 a.m., be continued to a future date in late September, 2005.

5 Dated: July 1, 2005

BRULE & ROONEY, LLP

7 By: s/JEFFREY J. ROONEY
8 JEFFREY J. ROONEY, Attorney for
9 MilePost Inns, Inc. dba Milepost Industries

10 CASE MANAGEMENT ORDER

11 The court having read the foregoing Case Management Statement and taking into
12 consideration the request for continuance now rules as follows:

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Status Conference
14 set for July 8, 2005, at 8:30 a.m., in Courtroom 8, is to be continued to

15 October 14, 2005, at 8:30 a.m., in Courtroom 8.

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17
18 Dated: July 06, 2005

19 THE HONORABLE CHARLES R. BREYER

